

***Cary Brett Berman
1917 Lafayette Road
Gladwyne, PA 19035
(610) 227-5600***

October 19, 2006

United States Department of Commerce
Patent and Trademark Office
Trademark Trial and Appeal Board
PO Box 1451
Arlington, Va. 22313-1451


In re Application Serial No. : 78/320850
Mark : ENYCE
International Class : 12
Applicant : Cary Berman
Filed : October 30, 2003
Published : August 24, 2004

Dear Sir/Madam:

Enclosed for filing in the above captioned matter are the original and one copy of the following:

1. ANSWER TO OPPOSER'S AMENDED NOTICE OF OPPOSITION.

Respectfully submitted,



Cary Berman

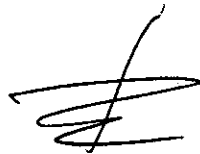
CC: Kieran Doyle
Cowan, Liebowitz & Latman, P.C.

10-23-2006

***Cary Brett Berman
1917 Lafayette Road
Gladwyne, PA 19035
(610) 227-5600***

CERTIFICATE OF SERVICE

I, Cary Berman, hereby certify that true and correct copies of the foregoing **ANSWER TO OPPOSER'S AMENDED NOTICE OF OPPOSITION** were served on Opposer by priority mailing same (with delivery conformation) to Kieran Doyle Cowan, Liebowitz & Latman, P.C. 1133 Avenue of the Americas New York, NY. 10036-6799 this 19th day of October 2006.

A handwritten signature in black ink, appearing to be 'Cary Berman', written over a horizontal line.

Cary Berman

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Cary Brett Berman
1917 Lafayette Road
Gladwyne, PA 19035
(610) 227-5600

L. C. Licensing, Inc.

Opposer,

Opposition No. 91162330
Serial No. 78320850

**ANSWER TO OPPOSER'S AMENDED
NOTICE OF OPPOSITION**

v.

CARY B. BERMAN

Applicant

In re Application Serial No. : 78/320850
Mark : ENYCE
International Class : 12
Applicant : Cary Berman
Filed : October 30, 2003
Published : August 24, 2004

Applicant, representing himself pro se submits this ANSWER to Opposer's AMENDED NOTICE OF OPPOSITION dated September 8, 2006.

The Applicant is Cary Berman. Cary Berman is a law abiding U.S. citizen living at 1917 Lafayette Rd., Gladwyne, Pa. 19035. Applicant is not represented by council and represents himself pro se.

Applicant believes that it should receive registration and approval to utilize Application Serial No. : 78/320850 for the Mark ENYCE filed in International Class 12 on October 30, 2003 and Published for opposition on August 24, 2004.

Applicant independently thought to use ENYCE on automobile products and was not aware that ENYCE was ever used on anything if it actually has been used. ENYCE is simply an abbreviation for New York City with the letter "E" on each side to represent electronic commerce. Applicant has a history in the automotive product industry. Specifically Applicant has utilized the internet to show a consumer what the automotive product will look like if installed on an automobile. Applicant respectfully asks that the parties review U. S. Patent Application 09/400.600 and U.S. Patent Application serial No. 09/625,950.

Answers to NOTICE by numbered paragraph.

1. Applicant does not have the knowledge to agree or disagree with the statement made in paragraph number 1 and had never witnessed opposer's Mark in conjunction with said products prior to this litigation.

2. Applicant does not have the knowledge to agree or disagree with the statement made in paragraph number 2.

3. Applicant does not have the knowledge to agree or disagree with the statement made in paragraph number 3.

4. Applicant strongly disagrees with the statements made in paragraph number 4 as Opposer's Marks are not valuable, are not well known, have no reputation and are not famous.

5. Applicant disagrees with the statement "despite Opposer's longstanding use and prior rights" portion of paragraph number 5 and agrees with the remainder of paragraph number 5.

6. Applicant strongly disagrees with the statements made in paragraph number 6 as products for automobiles have no relation to and are not an area of expansion for a clothing company.

7. Applicant strongly disagrees with the statements made in paragraph number 7 as Applicant does not believe that consumers are aware of said Mark as applicant was not aware of said Mark. If an individual consumer was aware of Opposer's Mark, said consumer would not be confused with applicants Mark as the goods, services and products of International Class 25 have nothing in common with the goods, services and products of International Class 12. As an example consumer's do not confuse DELTA faucets with DELTA airlines and confusion would not exist in this case either.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Cary Brett Berman
1917 Lafayette Road
Gladwyne, PA 19035
(610) 227-5600

L. C. Licensing, Inc.

Opposer,

v.

CARY B. BERMAN

Applicant

In re Application Serial No. : 78/320850
Mark : ENYCE
International Class : 12
Applicant : Cary Berman
Filed : October 30, 2003
Published : August 24, 2004

Opposition No. 91162330
Serial No. 78320850

**ANSWER TO OPPOSER'S AMENDED
NOTICE OF OPPOSITION**

Applicant, representing himself pro se submits this ANSWER to Opposer's AMENDED NOTICE OF OPPOSITION dated September 8, 2006.

The Applicant is Cary Berman. Cary Berman is a law abiding U.S. citizen living at 1917 Lafayette Rd., Gladwyne, Pa. 19035. Applicant is not represented by council and represents himself pro se.

Applicant believes that it should receive registration and approval to utilize Application Serial No. : 78/320850 for the Mark ENYCE filed in International Class 12 on October 30, 2003 and Published for opposition on August 24, 2004.

Applicant independently thought to use ENYCE on automobile products and was not aware that ENYCE was ever used on anything if it actually has been used. ENYCE is simply an abbreviation for New York City with the letter "E" on each side to represent electronic commerce. Applicant has a history in the automotive product industry. Specifically Applicant has utilized the internet to show a consumer what the automotive product will look like if installed on an automobile. Applicant respectfully asks that the parties review U. S. Patent Application 09/400.600 and U.S. Patent Application serial No. 09/625,950.

Answers to NOTICE by numbered paragraph.

1. Applicant does not have the knowledge to agree or disagree with the statement made in paragraph number 1 and had never witnessed opposer's Mark in conjunction with said products prior to this litigation.

2. Applicant does not have the knowledge to agree or disagree with the statement made in paragraph number 2.

3. Applicant does not have the knowledge to agree or disagree with the statement made in paragraph number 3.

4. Applicant strongly disagrees with the statements made in paragraph number 4 as Opposer's Marks are not valuable, are not well known, have no reputation and are not famous.

5. Applicant disagrees with the statement "despite Opposer's longstanding use and prior rights" portion of paragraph number 5 and agrees with the remainder of paragraph number 5.

6. Applicant strongly disagrees with the statements made in paragraph number 6 as products for automobiles have no relation to and are not an area of expansion for a clothing company.

7. Applicant strongly disagrees with the statements made in paragraph number 7 as Applicant does not believe that consumers are aware of said Mark as applicant was not aware of said Mark. If an individual consumer was aware of Opposer's Mark, said consumer would not be confused with applicants Mark as the goods, services and products of International Class 25 have nothing in common with the goods, services and products of International Class 12. As an example consumer's do not confuse DELTA faucets with DELTA airlines and confusion would not exist in this case either.

8. Applicant strongly disagrees with the statements made in paragraph number 8 as Opposer's Marks are not valuable, are not well known, have no reputation and are not famous.

9. Applicant strongly disagrees with the statements made in paragraph number 9 as Opposer's Marks are not famous and have no distinctive quality.

10. Applicant strongly disagrees with the statements made in paragraph number 10 as Applicant does not believe that consumers are aware of said Mark as applicant was not aware of said Mark. If an individual consumer was aware of Opposer's Mark, said consumer would not be confused with applicants Mark as the goods, services and products of International Class 25 have nothing in common with the goods, services and products of International Class 12. As an example consumer's do not confuse DELTA faucets with DELTA airlines and confusion would not exist in this case either.

11. Applicant strongly disagrees with the statements made in paragraph number 11 as Applicant has every intention to use it's Mark for many of the specific products listed within International Class 12 including but not limited to wheels and has only refrained from use pending resolution of this matter.

Applicant therefore respectfully asks that the Board grant registration and approval to utilize Application Serial No. : 78/320850 for the Mark ENYCE to Applicant.

SUBMITTED this 19th day of October, 2006.

CARY BRETT BERMAN



Cary Brett Berman
1917 Lafayette Road
Gladwyne, PA 19035
Phone-610-227-5600
Fax- 866-508-7700
autocary@aol.com